

**AMENDMENTS TO THE DRAWINGS:**

The attached replacement sheet includes changes to Fig. 1. This figure replaces original Fig. 1.

In the new Fig. 1, backing material 111 has been labeled.

Attachments follow last page of this Amendment:

Replacement Sheet (1 page); and  
Annotated Sheet Showing Changes (1 page).

### **REMARKS**

Claim 1 is currently amended, and claims 14-17 and 23 are cancelled herewith. Claim 1 has been amended to include the limitation that "the stem has width tapering to narrower away from the sheet-form base", support for which is found, e.g., at page 7, lines 2 and 3 of the Specification. No new matter has been introduced.

The drawings have been objected to under 37 CFR §1.83(a) because, as the Examiner states at page 2 of the Office Action, "a backing material laminated to a side of the base opposite the fastener elements (claim 18) must be shown or the feature(s) cancelled from the claim(s)". Fig. 1 has been amended to label the backing material (designated element 111). The Specification has been amended to make it consistent with this change. No new matter has been added since these amendments are fully supported by the originally filed drawing, by claim 18, and by the paragraph beginning at page 3, line 11 of the Specification. A replacement sheet and an annotated sheet showing the changes are submitted herewith.

The disclosure has been objected to because text is missing on page 8, line 7 of the Specification. In particular, the Examiner notes that the U.S. Serial No. for the application "MULTIPLE-CROOK MALE TOUCH FASTENER ELEMENTS" that was filed concurrently with the present application is missing. The text has been amended to add the appropriate U.S. Serial No. (10/688,320).

Claims 14-16 have been rejected under 35 U.S.C. §112, first paragraph, because the claims contain "subject matter which was not described in the specification in such a way as to enable one skilled in the art" (page 3 of the Office Action). In particular, the Examiner apparently believes that the height ranges (expressed in millimeters) in claims 14-16 are not consistent with the height ranges of the table on page 7 of the Specification. Applicant submits that the Examiner has discovered an obvious error, as Applicant intended units of "mil" (thousandths of an inch), rather than "millimeters". Nevertheless, claims 14-16 have been cancelled to obviate this rejection. The obvious errors in the Specification at page 3, line 4; page 3, line 6; and page 3, line 8 have been corrected by replacing "millimeters" by "mil".

Claims 1-8, 12, 13, 21 and 22 have been rejected as being anticipated by Erb, U.S. Patent No. 3,665,584 ("Erb"). Applicant respectfully requests reconsideration and withdrawal of the rejection for at least the following reasons.

Generally, Applicant's disclosure is related to male touch fastener components that can strongly engage low pile height loop components, and that have particularly good performance characteristics, e.g., peel resistance. For example, Applicant has found that increased stem taper, reflected in increased crook angle, can beneficially increase stem rigidity, and can also improve the manufacturability of the fastener components. Thus, stem taper and crook angle, both of which are functions of the lateral profile of the fastener element, can work in combination to provide male touch fastener components that enable thin fasteners.

Claim 1, as amended, requires that each fastener element have an under crook angle that is greater than about 180 degrees, and that the stem have width tapering to narrower away from the sheet-form base.

Erb describes a method of making discrete, spaced apart hooks by profile extruding hook-shaped rails (Fig. 1), cutting the hook-shaped rails (Fig. 2), and then stretching the cut rails to form discrete, spaced apart hooks (Fig. 5). Erb is not concerned with low profile fasteners configured to engage low-lying loops, as described by the Applicant. Erb does not disclose or even suggest fastener elements having stems having width tapering to narrower away from the sheet-form base, as claim 1 now requires. For at least this reason, Applicant respectfully submits that amended claim 1 is novel over Erb, as are all claims that that depend therefrom.

Regarding the Examiner's comments about claims 4, 5, 6, and 7 on page 4 of the Office Action, it appears that the Examiner has come to these conclusions based on scaling of patent drawings. In particular, there is simply no written disclosure in Erb of a well extending down to a height of at least about 70 percent of the overall height of one of the two oppositely-directed heads; of fastener elements having an overall length between opposite extents of the oppositely-directed heads of at least 1.8 times the overall height of the fastener element; or of a ratio of an overall height of the crook to an entrance height that is greater than 0.6; nor is there any disclosure in which a head has an overall thickness that is greater than an entrance height, as

claims 4, 5, 6, and 7 each respectively require. Applicant notes that a rejection based on measurements or ratios taken from the figures is improper absent some indication that the drawings are to scale (see, e.g., MPEP §2125 and *Hockerson-Halberstadt v. Avia Group*, 222 F.3d 951).

In addition, regarding the Examiner's comments about claims 12 and 13 on page 5 of the Office Action, Applicant respectfully submits that Erb does not disclose or even suggest an inclination angle of between about 20 and 30 degrees or one of 23 degrees, as claim 12 and 13 each respectively require.

Claims 9 and 10 have been rejected as being obvious over Erb in view of Lacey, U.S. Patent No. 6,163,939 ("Lacey"). Applicant respectfully requests reconsideration and withdrawal of the rejection for at least the following reasons.

Claim 9 and 10 each depend from claim 1, the limitations of which have been described above. Erb has also been described above. Generally, Lacey describes hooks having three-dimensional tapers with ultrathin cross-sections that result in enhanced loop engaging characteristics. Neither Erb nor Lacey realize that stem taper and under crook angle can work in combination to provide male touch fastener components that enable thin fasteners. As a result, Applicant respectfully submits that Erb in combination with Lacey cannot render obvious claim 1, as now presented, nor can Erb and Lacey render obvious any claim that depends from claim 1, including claims 9 and 10.

Claim 18 has been rejected as being obvious over Erb in view of Ramanko, U.S. Patent No. 6,484,371 ("Ramanko"). Applicant respectfully requests reconsideration and withdrawal of the rejection for at least the following reasons.

Claim 18 depends from claim 1. The limitations of claim 1 and Erb have been described above. Ramanko generally describes a method of making discrete, spaced apart hooks by profile extruding hook-shaped rails (Fig. 7), cutting the hook-shaped rails (Fig. 8), and then stretching the cut rails to form discrete, spaced apart hooks (Fig. 2). Neither Erb nor Ramanko realize that stem taper and under crook angle can work together to provide male touch fastener components that enable thin fasteners. As a result, Applicant respectfully submits that the combination of

Erb and Ramanko cannot render obvious currently presented claim 1, nor can it render obvious any claim that depends therefrom, including claim 18.

Claim 14-17 have been rejected as being obvious over Erb. These claims have been cancelled for the reasons outlined above.

Claims 19-20 have been rejected as being obvious over Erb in view of Ikoma, U.S. Patent No. 3,577,607 ("Ikoma"). Applicant respectfully requests reconsideration and withdrawal of the rejection for at least the following reasons.

Claim 19 and 20 each depend from claim 1. Both Erb and the limitations of claim 1 have been discussed above. Ikoma generally describes an improvement in the structure of fibers for engageable loop materials. For example, in some of his embodiments, nylon is used as the loop material. The only hooks disclosed in Ikoma are "mushroom shaped" hooks, and Ikoma is not concerned with low profile fasteners configured to engage low-lying loops, as described by the Applicant. Ikoma does not disclose nor even suggest an under crook angle that is greater than about 180 degrees, or stems having width that taper to narrower away from the sheet-form base. As discussed above, having stems taper can, e.g., beneficially increase the rigidity of the stems against bending and torsion, such as from loads applied by loops caught in crooks of such extended crook angles, and can enhance the manufacturability of the fastener component. Applicant respectfully submits that claim 1 is non-obvious over of the combination of Erb and Ikoma, as are all claims that that depend therefrom, including claim 18.

In the "Conclusion" section of the Office Action on page 7, the Examiner comments that "the prior art of record and not relied upon is considered pertinent to the applicant's disclosure." Applicant respectfully submits that all claims are now patentable over all the art of record.

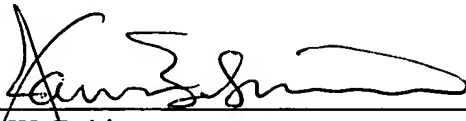
Enclosed is a check for \$120.00 for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050, referencing Attorney Docket No. 05918-338001.

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Serial No. : 10/688,029  
Filed : October 15, 2003  
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Attorney Docket No.: 05918-338001 / VGCP No. 6000

Respectfully submitted,

Date: September 19, 2005

  
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